

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, October 16, 2006 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, and Daniel Morgado, Town Manager. Mr. Lebeaux called the meeting to order at 7:02pm.

Preliminaries:

1. Approve bills, payrolls and warrants, #0729 in the amount of \$1,636,928.67, and #0732 in the amount of \$2,722,723.93. Motion made, seconded and unanimously approved.
2. Approve minutes of September 26, 2006 and October 2, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Card announced that John Kehoe, one of the longest serving Town Meeting members, had passed away. Mr. Kehoe was a retired Police Sergeant and had been active in many activities benefiting the Town, he will be missed. Mr. Lebeaux noted that SELCO will be holding their 10th Annual Monsterfest Blood Drive on October 27th from 9:00am to 3:30pm at the Glavin Regional Center, 214 Lake Street. Those donating blood will be eligible to win a flat panel LCD TV. Mr. Lebeaux announced that the Board of Health will be holding a Household Hazardous Product Drop-Off Event on Saturday, October 28th from 8:30am to 1:00pm at the Municipal Garage, 211 South Street. There will be a \$10.00 fee per car. Mr. Lebeaux reviewed the products that will be accepted. He also announced that the Commission on Disabilities will be holding a forum this coming Wednesday at the Town Hall in the Selectmen's Meeting Room at 6:00pm. The public is invited to attend. Mr. Lebeaux reminded residents that the Fall Curbside Pick Up for leaves, grass and yard waste begins this week. Additional pick ups are scheduled for October 30th- November 3rd, November 13th-17th and November 27th-December 1st. Pick ups will take place on the regular rubbish collection day. Mr. Lebeaux added that item #19 under Correspondence is a copy of a letter to the Town Clerk from School Committee member Alden Harris, II resigning from the Committee due to changes in his work situation. The Board thanks him for his service. That leads to #26 which is a letter from the remaining members of the School Committee to the Board notifying us of the vacancy pursuant to MGL Chapter 41, Sec. 11 and requesting a joint meeting to fill the vacancy. Mr. Lebeaux added that he had spoken to School Committee Chairman, Mark Murray, regarding the schedule to accomplish filling the vacancy. They agreed that Mr. Lebeaux would make the formal announcement of the vacancy this evening with the request that those interested should send letters or e-mails to the Selectmen's Office. Letters of interest will be accepted until 4:00pm on Monday, October 30, 2006. As done a few years ago when a vacancy occurred, the Board and School Committee will hold a session in which candidates for the position could speak with them about the position and ask questions. The joint meeting of the Board and School Committee to fill the vacancy created by Mr. Harris' resignation will be held on Monday, November 20th in this room.
4. Town Manager's Report – Nothing other than what is on the Agenda.

Public Hearings:

5. 7:05pm - Papa Gino's, Inc. d/b/a Papa Gino's, 20 Boston Turnpike, White City Shopping Center-West, Aaron Barrett, manager, Wine & Malt Beverages Pouring License. Hours of Operation: Monday-Thursday 11:00am to 10:00pm, Friday-Saturday 11:00am to 11:00pm & Sunday 12:00 noon to 10:00pm. Carlos Davis and Aaron Barrett, manager, were present representing Papa Gino's. Mr. Davis advised that they were seeking a Wine & Malt Beverages License for the restaurant and patio area. The patio area will be monitored by cameras as well as personnel. Mr. Lebeaux advised that all reports from department heads were favorable and the Building Inspector advises that the special variance is in place. Mr. Lebeaux asked for questions from the Board. Mr. Card asked about TIPS training for servers. Mr. Barrett said that he and the servers are currently enrolled in the TIPS program. Mr. McCaffrey questioned security for the patio area. Mr. Davis advised that

the spaces in the fencing are too small to pass a container through. Mr. Barrett added that all those served alcoholic beverages will be carded, no exceptions. Mr. Lebeaux opened the hearing to the public and as there was no public comments, motion was made, seconded and unanimously voted to close the hearing. Motion was made to approve the application of Papa Gino's, Inc. d/b/a Papa Gino's, 20 Boston Turnpike, for a Wine & Malt Beverages Pouring License for the hours as stated in the application. Motion was seconded and unanimously voted.

Old Business:

6. Decision on Chief selection process and possible Special Town Meeting. Mr. Lebeaux reviewed the previous discussion on the Chief selection process on October 2nd. At that time Mr. McCaffrey and Mr. Lebeaux had asked that the matter be held until the October 16th meeting to allow them more time to review the options before making a decision. Mr. McCaffrey advised that he had made a decision and was in favor of removing the position from civil service. Mr. DePalo advised that he had not changed his position from the last meeting and remains in favor of the position be taken out of civil service. Mr. Card said he still felt that the position should remain in civil service. It becomes a political appointment if taken out. Mr. Fiore added he favored bringing the matter to a special town meeting to begin the process of removing the position from civil service. Mr. Lebeaux said that he had studied the pros and cons of the matter and concluded that it would be in the best interest of the Town to remove the position from civil service. This would allow the Town to move forward to fill the position in a timelier manner. It would allow the position to be appointed by the Town Manager as it is with other department heads. Mr. DePalo moved that the Board endorse the removal of the Police Chief position from civil service and placed in a similar position as other department heads and to be a contract position. Motion was seconded and voted four in favor with Mr. Card opposed. Motion was made to hold a Special Town Meeting on November 13, 2006 at Oak Middle School at 7:00pm. Motion was seconded and voted four in favor with Mr. Card opposed. Mr. Lebeaux added that the November date is also the time that the Fiscal Study Group will be making their report and suggested that it be made at the Special Town Meeting. Mr. DePalo advised that he and Mr. Fiore had spoken to the group and that they were in favor of having the report ready at that time for presentation at the November Special Town Meeting.
7. Crosswalk on Honeysuckle Lane. Motion was made, seconded and unanimously voted to approve the installation of the crosswalk under the supervision of Highway Supt. John Knipe.
8. Act on License Fees for 2007. Mr. Lebeaux advised that he and Mr. McCaffrey were working on it and will have something ready for a vote at the November 6th meeting.

New Business:

9. Act to remove Water Restrictions. Mr. Lebeaux recused himself to avoid the appearance of a conflict of interest. Mr. Fiore assumed the chair. Motion was made, seconded and voted four in favor with one abstention to rescind the water restrictions voted in on May 2, 2006.
10. Request for designation of a Memorial Square. Ron Pelletier and Michael Perna were present. Mr. Morgado reviewed previous discussions regarding a veteran's memorial. He advised that the Board is now considering naming a square in memory of Pvt. Brian Moquin. Motion was made to designate the corner of Oak Street and Maple Avenue as Pvt. Brian Moquin Square. Motion was seconded and unanimously voted. Mr. Morgado will research the costs, pole, best location for the pole, and the ceremony. Mr. Perna offered his assistance in arranging the dedication ceremony.
11. Sign State Election Warrant. Motion was made, seconded and unanimously voted to sign the warrant.
12. Act on Whitney Street Betterment. Motion was made, seconded and unanimously voted to sign the betterment.
- 12a Pepper's Fine Foods Catering, 43 Hudson Street, Northborough, MA, One Day Wine & Malt Beverages License for Birthday Party at Donahue Rowing Center, 237 No. Quinsigamond Avenue, Saturday, October 28, 2006 from 6:00pm to 10:00pm. Motion was made, seconded and unanimously voted to approve the application of Pepper's Fine Foods Catering for the date and hours as stated.

Executive Session:

13. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:52pm and not to reconvene for the purpose of discussion of collective bargaining. The Board was polled, Mr. DePalo, yes, Mr. Fiore, yes, Mr. McCaffrey, Mr. Card, yes, yes, and Mr. Lebeaux, yes.

Communications:

14. Noted copy mailed: Letters from Town Engineer, Jack Perreault to Town Counsel Leader, Mary Catherine Chute and National Grid re Land Transfers & Easements on Groveland Street.
15. Noted copy mailed: School Committee meeting Agenda, 10/4/06.
16. Noted copy mailed: Open Letter from ABCC to Local License Authorities re Regional Local Boards Training.
17. Noted copy mailed: MMA Annual Meeting & Trade Show Materials. Mt. Lebeaux asked Board member to review and to advise the secretary if they wish to attend.
18. Noted copy mailed: ZBA Hearing Minutes, 8/22/06, RIFL Realty Trust, Richard Ricker, Trustee, 169 Memorial Drive.
19. Noted copy mailed; Letter from Alden Harris, II resigning from the School Committee effective October 25, 2006.
20. Noted copy mailed: ZBA Hearing Minutes, 9/21/06, Daniel Wezniak, AIA, 16 Merriam Avenue.
21. Noted copy mailed: U.S. Census Bureau's 2007 Boundary & Annexation Survey. Engineering will respond.
22. Noted copy mailed: October Grant Updates from the Office of Senator John Kerry.
23. Noted copy mailed: Letter from UMassMemorial President & CEO, John O'Brien re contract negotiations with Mass. Nurses Assoc. (MNA).
24. Noted copy mailed: Finance Committee Meeting Agenda, 10/12/06.
25. Noted copy mailed: Office for Commonwealth Development 2006 Smart Growth Awards Announcement.
26. Noted copy mailed: Letter from School Committee re vacancy on School Committee and call for joint meeting.
27. Noted copy mailed: City & Town, Vol. 19 No. 7 – August/September 2006.
28. Noted copy mailed: Memo from CMRPC Transportation Staff re Meeting of CMMPO.
29. Noted copy mailed: Notice from Arc of Innovation re National Brownfields Conference Transaction Forum.
30. Noted copy mailed: Dept. of Housing & Community Development Workshop Notice–Building Strong Communities Using Affordable Housing.
31. Noted copy mailed: Notice from 495/MetroWest Corridor Partnership re Gubernatorial Candidates Addressing the 495/MetroWest Corridor Partnership.
32. Noted copy mailed: E-mail from Tammy Hullen, 169 Wade Hampton Lane, Decaturville, TN re Edgemere Diner. Mr. hale has received several inquiries suggest that the Board decide on how they wish to proceed at Public Works Workshop on October 30th or next meeting on November 6th.
33. Noted copy mailed: E-mail from John Martin, 204 North Street, re School Committee vacancy.
34. Copy mailed: E-mail from John Lukach, 4 Bunker Hill Road, re Selection Process for School Committee Vacancy.
35. Noted copy mailed: Council on Aging Board Meeting Minutes, 6/14/06, 7/12/06, & 8/9/06.
36. Noted copy mailed: School Committee Meeting Minutes, 8/17/06 & 9/20/06.
37. Noted copy mailed: Notice from Shrewsbury Commission on Disabilities re Shrewsbury Community Forum on Disabilities.
38. Noted copy mailed: ZBA Public Hearing Agenda, 10/24/06.
39. Noted copy mailed: MMA Fall Conference notice.
40. Noted copy mailed: Letter from James Grosso, Esq. re Parcel No. 455, Stanley Road. Mr. Morgado will get information on this property from Engineering.
41. Noted copy mailed: Notice from Nation Organization of Disability's Emergency Preparedness Month & Partners in Preparedness awareness campaign. (poster in BOS office)

42. Noted copy mailed: Memo from Dept. of Housing & Community Development re 2006 Subsidized Housing Inventory Biennial Update.
43. Noted copy mailed: Senator Kerry Monthly Update.
44. Noted copy mailed: E-mail from Harvey & Anita Grell, 92 Harrington Farms Way, re John Martin for School Committee.
45. Noted copy mailed: Mass. Dept. of Revenue Bulletin 2006-15B re Amendments to Local Tax Exemptions for Veterans. Forward to Assessor and Veteran's Agent.

Mr. McCaffrey asked about the status of the intersections at North and High Streets and at Prospect and North Streets. Mr. Morgado advised that they are virtually complete.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 7:52pm not to reconvene for the purpose of discussing collective bargaining. On a roll call vote Mr. DePalo, yes, Mr. Fiore, yes, Mr. McCaffrey, Mr. Card, yes, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy
Secretary